

**Notice of Allowability**

Application No.

10/028,661

Applicant(s)

WRIGHT, ROBIN E.

Examiner

Susan W Berman

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1711

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to AMENDMENT FILED 07/26/2004.
2. ☒ The allowed claim(s) is/are 1,3,5-20,24,25 and 27-31.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|   | 9. <input type="checkbox"/> Other _____   |

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***Response to Amendment***

The objection to the amendment filed 02-13-2004 is obviated by the present amendment removing the new matter objection. The rejections of claims 10-12 as lacking antecedent basis in claim 1 is obviated by the amendment of claim 1 to recite a photoinitiator in the composition.

***Response to Arguments***

Applicant's arguments filed 07-26-2004 have been fully considered and have been found persuasive.

***Examiner's Amendment***

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

*In the title, change "Polymerization Method" to read "Polymerization Method Comprising Sequential Irradiation".*

*In Claim 3, line 1, change "claim 2" to "claim 1".*

***Reasons for Allowance***

The following is an examiner's statement of reasons for allowance: The instant claims have been amended (07-26-2004) to limit the method of polymerizing set forth to a method for polymerizing a composition consisting essentially of a free radically polymerizable composition containing a free radical photoinitiator to produce a pressure sensitive adhesive. This amendment distinguishes the instant claims from the methods using sequential irradiation and combinations of photoinitiators disclosed by Palazotto

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et al and Williams et al for polymerizing compositions comprising cationically curable components or polyurethane precursors. The amendment distinguishes over the disclosure of Moon et al (WO 92/15651) because Moon et al teach a multi-stage irradiation process using different intensities of light of the same range of wavelengths (280-500 nm). Matthews et al (4,313,969) disclose sequential steps for photopolymerizing a UV curable acrylourethane coating composition using two different radiation sources that provide radiation at wavelengths above 300 nm first and then radiation at wavelengths less than 300 nm to provide low gloss and controlled gloss radiation cured coatings. Matthews et al do not teach pressure sensitive adhesive compositions and products.

Takahira et al (6,299,975) disclose photopolymerization of pressure sensitive adhesive compositions comprising acrylate monomers and photoinitiators, wherein mercury lamps are employed to provide UV light having wavelengths from 180-460 nm.

Martens et al (4,181,752) teach the characteristics of different light sources, including fluorescent black lamps and germicidal mercury lamps, effects on photopolymerization of psa compositions and resulting cohesive strength of the psa products. Martens et al do not specifically describe sequential irradiation with UVA light followed by irradiation with UVC light.

Applicant has provided comparative data in the instant specification summarized in Table 2 on page 14. The data for Examples 3-15 show that the static shear of the psa compositions irradiated with UVA and then with UVC is significantly different than the static shear obtained by irradiation with UVA alone. This data is considered sufficient to obviate the obviousness of combining different kinds of irradiation taught by Martens et al, Takahira et al, Moon et al or Matthews et al.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan W Berman whose telephone number is 571 272 1067. The examiner can normally be reached on M-F 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Seidleck can be reached on 571 272 1078. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Susan W Berman  
Primary Examiner  
Art Unit 1711

SB  
October 5, 2004